

EDWARD H. KUBO, JR. # 2499
United States Attorney
District of Hawaii

RONALD G. JOHNSON # 4532
Violent Crimes Section Chief

MARSHALL H. SILVERBERG # 5111
Assistant U.S. Attorney
Room 6-100, PJKK Federal Building
300 Ala Moana Boulevard
Honolulu, Hawaii 96850
Telephone: (808) 541-2850
Facsimile: (808) 541-2958
Email: marshall.silverberg@usdoj.gov

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

JAN 29 2004
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WALTER A. Y. H. CHINN, CLERK

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO.
)	
Plaintiff,)	INDICTMENT
)	
vs.)	Count 1: 26 U.S.C. §§
)	5845(a)(1) & 5861(d)
JOHN CARLYON, JR.,	(01))	Count 2: 18 U.S.C. §§
JAMES G. MAGALEI,	(02))	922(g)(1) & 924(a)(2)
)	
Defendants.)	
)	

CR 04 00051
DAE

INDICTMENT

COUNT 1

(18 U.S.C. § 2(a), 26 U.S.C. §§ 5845(a)(1), 5861(d))

The Grand Jury charges that:

On or about January 23, 2004, in the District of Hawaii, the defendants JOHN CARLYON, JR. and JAMES G. MAGALEI, did knowingly possess a firearm as defined by Title 26, United States Code, Section 5845(a)(1), to wit, a Sears, model 21-20, pump action, 20-gauge shotgun, with a barrel length of less than eighteen (18) inches, bearing no serial number, which was not

registered to them in the National Firearms Registration and Transfer Record as required by law.

All in violation of Title 26, United States Code, Sections 5845(a)(1) and 5861(d).

COUNT 2

(18 U.S.C. § 922(g)(1) & 924(a)(2))

The Grand Jury further charges that:

On or about January 23, 2004, in the District of Hawaii, the defendant JAMES G. MAGALEI, having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in or affecting commerce a firearm, to wit, a Sears, model 21-20, pump action, 20-gauge shotgun, bearing no serial number, and manufactured outside the State of Hawaii.

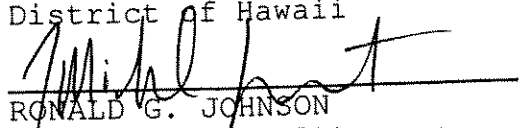
All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).


DATED: January 29, 2004, at Honolulu, Hawaii.

A TRUE BILL

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FOREPERSON, GRAND JURY

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

For 
RONALD G. JOHNSON
Assistant U.S. Attorney


MARSHALL H. SILVERBERG
Assistant U.S. Attorney

UNITED STATES v. JOHN CARLYON & JAMES G. MAGALEI
Cr. No. 04- (Indictment)